

agreed to seek the authorization for 12 new appellate judgeships, 26 trial court judgeships, and 18 bankruptcy court judgeships, over and above the 93 vacancies that exist today. This is going to become an increasingly important matter for the Senate.

I intend to work closely with the majority leader to see if we can't resolve the question of nominations and confirmations relating to judges. I appreciate very much his leadership and cooperation that he has demonstrated in working through the Cabinet-level appointments that we have been able to address so far this year.

Mr. President, I will also say, in talking with a number of my colleagues who want the opportunity to express themselves on the constitutional amendment, I am not sure that our side will be prepared to agree to a time certain for a vote today, but I will certainly work with the distinguished majority leader to see if we can't find a mutually convenient time with which to begin bringing this debate to a close.

Mr. LOTT. Will the distinguished Senator yield?

Mr. DASCHLE. Yes, I will yield.

Mr. LOTT. Mr. President, if we need additional time, we can have time tomorrow and could even have some time on Monday for debate. I am not trying to push it to an early conclusion. I just want to make sure Members are aware that when everybody feels like they have had their say, we will be prepared to set the vote, whether it is this afternoon or Tuesday.

Mr. DASCHLE. Mr. President, if I can regain the floor for a moment to say, given the accommodation of the majority leader, I think it is imperative that we use this time. I was pleased yesterday. I don't think there was a quorum call, and I think it was indicative of the kind of interest there is on the issue and the kind of debate that it generated. I hope we don't see quorum calls today. I hope we can maximize the use of the time. I think we all know the outcome of this debate, so it isn't necessarily the outcome that is driving the interest as much as just the philosophical approach we take to a very important issue.

But, nonetheless, I appreciate very much the majority leader's interest in accommodating Senators to allow for the debate and we maximize the use of the time. I yield the floor.

Mr. LOTT. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. FRIST. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

#### MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, there will now be a period for the transaction of morning business for not to extend beyond the hour of 12:30 p.m., with Senators permitted to speak therein for not to exceed 5 minutes each.

Under the previous order, there will be 1 hour under the control of the Senator from New Mexico.

Mr. FRIST addressed the Chair.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. FRIST. Mr. President, I ask unanimous consent 10 minutes be yielded to me from the time of the Senator from New Mexico. I request about 8 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The remarks of Mr. FRIST, Mr. DOMENICI, Mr. BENNETT and Mr. SPECTER pertaining to the submission of Senate Resolution 63 are located in today's RECORD under "Submission of Concurrent and Senate Resolutions.")

Mr. SPECTER. Mr. President, in the absence of any other Senators on the floor seeking recognition, I ask unanimous consent to proceed as in morning business for a period of up to 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### SUPPORT FOR THE FBI

Mr. SPECTER. Mr. President, I have sought recognition to voice support for FBI Director Louis Freeh, who has been subject to some criticism in a variety of quarters, including on the floor of the U.S. Senate. I do so as someone who is thoroughly familiar with the work of FBI Director Freeh and of his organization. I have worked with the Federal Bureau of Investigation for many, many years, going back to my days as an assistant district attorney of Philadelphia, when I prosecuted the Local 107 Teamsters and got the first conviction of teamsters resulting from the McClellan committee investigation. I worked with the FBI as an assistant counsel on the Warren Commission. I have seen a great deal of the FBI's work since being in the Senate and working as a member of the Judiciary Committee.

I think the FBI does a good job—not a perfect job, not a job without substantial problems, and not a job where, on some occasions, they don't make mistakes, but a good job. I have seen Director Freeh's work in some detail, specifically, on the oversight hearings that the Senate Subcommittee on Terrorism conducted on Ruby Ridge, where I served as chairman.

Ruby Ridge was a national tragedy. Randy Weaver did some things he should not have done, but he didn't deserve the armada of law enforcement that descended on his mountain in Idaho. That was a sad story, because the Alcohol, Tobacco, and Firearms

unit had misrepresented Weaver's record. They said he had a prior record of convictions, which was false. They said he was a suspect in a bank robbery case, which was false. That brought the hostage rescue team from the FBI and the killing of a U.S. Marshal, William Deacon, the killing of Mrs. Randy Weaver and their son, Sam Weaver, age 14.

To the credit of FBI Director Freeh, he was willing to concede the errors. He changed the rules of engagement, he changed the FBI standards on use of deadly force, and he changed the use of the hostage rescue team. This was in stark contrast to what the Alcohol, Tobacco, and Firearms did. They would not concede their errors. The Department of the Treasury, which managed Alcohol, Tobacco, and Firearms, stood by their conduct, even though it was palpably wrong, as disclosed in the extensive hearings the subcommittee had over the course of 2 months, 16 hearings, and a long report in excess of 150 pages.

I have seen what Director Freeh has done in combating domestic violence in the Oklahoma City bombing, and I have seen what the FBI has done in the Unabomber case. Where the FBI has made mistakes, Director Freeh has come forward and conceded that. Where there was unwarranted publicity on the Atlanta Olympics pipe bomb case, for example, when someone unfairly leaked information, Director Freeh conceded that a mistake was made.

While I applaud his concessions on the unfair publicity, I have problems with our inability to properly conduct oversight on that Atlanta pipe bombing case. We have not been able to move that ahead. So that when I evaluate Director Freeh, I do so in the context of someone who sees problems and has been critical, as well as someone who praises the Bureau's overall performance.

Director Freeh has been criticized on the so-called VANPAC case, which involved the murder of a Federal judge and a civil rights leader. Director Freeh prosecuted this case—he has had a very remarkable career as an assistant U.S. Attorney, a Federal judge, and he left the Federal bench to become Director of the FBI. He was recently criticized because there were alleged errors made by the FBI laboratory in connection with the VANPAC case. The FBI laboratory has admittedly had serious problems. That was one of the aspects that was investigated by the Senate subcommittee on Ruby Ridge, because there were problems with their work there, as well.

As the prosecuting attorney in that criminal prosecution, Director Freeh relied on evidence from the FBI laboratory, some of which may have been faulty. But when Director Freeh found out that that was an area of concern in September of 1995, he recused himself from the investigation of the FBI laboratory. That means he took himself out of the case and did not pass judgment on it.

The inspector general, who is about as independent as you can be within the Federal branch—has been looking into the FBI laboratory. We have these inspector generals in a variety of departments. My legislation brought the inspector general to the CIA, the only reform legislation coming out of the Iran-Contra affair. Inspectors general are not perfect because it is hard to be totally independent. But to the extent you can have independence, the IGs are independent. They report directly to Congress. They are as good a mechanism as you can have for that sort of an investigation, unless you have congressional oversight. There ought to be more of that.

But, at any rate, Director Freeh did what was possible by recusing himself and referring the matter to the inspector general, who brought in five independent scientists. He has been out of the case, and he is prepared to make whatever changes are necessary within the FBI laboratory.

The FBI is currently conducting a very sensitive investigation on campaign irregularities, which may go to the highest levels of Government. Not a great deal can be said about that investigation at this time. But from what I have observed Director Freeh has been independent, has been forthright, and has done his job in a professional way. In that kind of an investigation there are inevitable pressures, either express or implicit. I have some familiarity with what the Bureau is doing and what the Director is doing. I have confidence in him. I do so with some understanding of investigative work on grand juries and criminal matters and the kind of sensitivity which is involved. There are matters on which I consult with him with some frequency in terms of oversight.

As of this moment, I am not yet satisfied with what has been done on Ruby Ridge. The Department of Justice has conducted an investigation on a number of the FBI agents, one of whom was the former Deputy Director, Larry Potts. It may well be as I said, in those hearings, that Director Freeh did not exercise the best judgment with respect to Deputy Director Potts. But at the same time I have said publicly that Deputy Director Potts and others are entitled to have the matter resolved, and that the Department of Justice has been investigating that since the fall of 1995—some 18-month lapse—which is unwarranted. I know that case thoroughly because of the hearings we had. I know investigative practice. That matter should have been concluded. That is not a matter under Director Freeh's purview. It is in the Department of Justice.

I recently wrote to the Attorney General complaining about the delays and got an unresponsive response saying that the investigation will take several more months due to the complicated nature of this matter. It is not all that complicated. We have the Atlanta pipe bomber case where I have

been trying to get an oversight hearing since October-November. I am not delighted with what the FBI has done on that in terms of not being as responsive as I think they might be. They have internal investigations which are really very difficult and which delay congressional oversight. But overall my view is that Director Freeh has done a good job. And when you pick up some of these matters on the FBI laboratory, I think he has provided appropriate management and appropriate oversight.

Mr. President, I think my time has probably lapsed. But in the absence of any other Senator on the floor, I ask unanimous consent for an additional 10 minutes to proceed as if in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Pennsylvania is recognized.

Mr. SPECTER. I thank the Chair.

#### HEALTHY CHILDREN'S PILOT PROGRAM ACT OF 1997

Mr. SPECTER. Mr. President, today I am introducing legislation directed at providing health coverage to children who lack health insurance in America.

This issue has been recognized as one of the leading—if not the leading—problems on incremental health coverage in America today. I am glad that President Clinton's health care plan proposed in 1993 was not adopted. That was a matter that was fought out on the Senate floor in some great detail in 1994. I participated in that debate. When I read President Clinton's health plan, I was amazed by the number of agencies, boards, and commissions, and asked an assistant to make a list of all of them. My assistant made a chart instead of a list. I had that chart on this floor and many other places, and I shall spare you the chart today. Bob Woodward of the Washington Post said that chart was the key factor in defeating the Clinton health care plan because it showed on one page in red more than 100 new agencies, boards, and commissions, and in green about 50 existing bureaus giving new jobs. Then we proceeded, I think wisely, with the Kassebaum-Kennedy bill on incremental health coverage. Now I think we need to go ahead and provide for coverage for children in America.

Very briefly, let me summarize my proposal before going into specifics. It is said that there are 10 million children who lack health insurance. My analysis shows that there is a critical group, perhaps the most critical group, of some 4 million children which my bill addresses in an incremental way; 3 million other children are eligible for Medicaid coverage but not enrolled, and 3 million other children are in families which would not be eligible for health insurance under my plan because their family income levels are too high. My legislation will provide a pilot program which would provide

vouchers to States for families which earn up to 235 percent of the poverty level to purchase health insurance in the marketplace.

Later today I am going to have a news conference with the Brandt family from Pennsylvania, because they are illustrative of this issue. I would now like to discuss the key elements of my proposal and why I have asked the Brandts to travel to Washington today.

Mr. President, it is no less true for being a commonplace that nothing could be more important to our Nation than our children. I am introducing today legislation aimed at beginning to fill an enormous and unacceptable gap in our country's support for the health and well-being of our children.

Mr. President, as President Clinton discussed during the State of the Union Address last month, there are today approximately 10 million American children who have no health insurance coverage from any source—private or public—and who therefore lack access to the kinds of preventive and primary care services which can be the difference between staying healthy and getting sick or between minor illness and serious, disabling or even mortal illness.

Now, let me say at the outset that this is not a Republican or Democrat issue. Our two parties do have different approaches to the roles and the cost of our Federal Government but there is not one party that cares about kids and one party indifferent to our children's health. Let us work constructively on this and actually address the problem rather than just trying to wrack up political points.

As with most statistics conjured up for social policy debates, the President's figure of 10 million uninsured children needs further discussion to get to the heart of the matter. Of these 10 million uninsured, approximately 3 million children live in families with incomes which make them eligible for Medicaid. I support outreach efforts by the States to enroll these children in Medicaid but, because coverage is accessible to these families if they avail themselves of it, this problem is not the gaping hole in our health care system of which I spoke a moment ago.

Likewise, of the 10 million uninsured children, another approximately 3 million live in families with incomes greater than the median household income. There are even uninsured children in more than a few high income families.

Those numbers are deeply disturbing, but I see them as a clarion call for greater parental responsibility, rather than for legislative or governmental action. I know it is easy for those of us with substantial incomes and employer-paid health benefits—such as we here in the Senate—to preach to families without these protections, but I cannot imagine any higher priority for a family with any more than just enough income to keep food on the table and a roof over their heads than